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September 21, 1999

Mr. Lester Snow, Executive Director
CALFED Bay-Delta Program
*1416 Ninth Street, Suite 1155*
Sacramento CA 95814

Dear Mr. Snow:

Sierra Club California submits the following comments on the June 1999 Draft Programmatic EIS/EIR for the CALFED Bay-Delta program. Sierra Club California is the state division of the Sierra Club, a national environmental advocacy organization with over 160,000 members in California. Sierra Club California is a member of the Environmental Water Caucus. These written comments supplement the oral and written statements submitted by many individual Sierra Club members at hearings throughout the state.

As a grassroots organization whose members are broadly concerned with restoring and maintaining California's environmental resources, we are particularly concerned about how the basic objectives of the CALFED program are defined, and about whether there is a reasonable prospect that the program will in fact achieve its stated goals. We do not attempt to duplicate the technical expertise of the many scientists and other specialists who have participated in the development of the CALFED program.

Ecosystem restoration.

We appreciate the magnitude and difficulty of the task of environmental restoration envisioned by the CALFED program. Nevertheless, we are concerned that one stated goal of the program is merely to achieve "stable, self-sustaining" populations of species. We believe that the CALFED program should aim at the higher goal of restoring fish and wildlife populations to the levels that existed prior to the operation of the federal and state water projects. In this regard, we support the comment of California Trout that the measure of restoration of steelhead trout should be much higher than the stated objective of 40,000 fish (see letter of Nick DiCroce on behalf of California Trout, 10 Sept 1999).

We are also concerned that the June 1999 draft does not quantify how much water will be needed to restore our waterways and the fish and wildlife depending on them. It does not specify how much additional water will be allocated to restore the ecology of the Bay-Delta estuary and to flow through the estuary into San Francisco Bay. It also fails to provide a clear plan of action for a program to obtain additional water to provide restoration flows, and it does not make an unequivocal commitment to provide these flows. We believe that the CALFED program must guarantee more fresh water flows through the Delta in order to improve water quality for people and wildlife. We do not believe that the ecosystem in the estuary can be restored without a substantial increase in the amount of water that is dedicated to the estuary.

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If the ecosystem restoration program is to achieve its stated goals, its components must be consistent with each other and with the other elements of the CALFED program. Thus, we are concerned that several of our environmental colleagues have concluded that the ecosystem restoration documents in the June 1999 draft are not consistent with each other, and that the ecosystem restoration program continues to be poorly integrated with the other elements of the CALFED program. Moreover, the priorities of the ecosystem restoration program are unclear. For example, the actions slated for implementation in the first two years are not based on the ecosystem priorities, but rather on geographic areas. CALFED has indicated that the "South Delta bundle" of actions is the highest priority for implementation, but these actions would not be the highest priority actions for restoring the ecosystem. CALFED should base Stage 1 ecosystem actions on their importance for ecosystem recovery, and not on their geographic proximity to other actions.

Environmental conditions in San Francisco Bay are highly dependent on outflows from the Delta, and we continue to believe that CALFED is not giving enough attention to the need for environmental restoration in San Francisco Bay.

Water quality.

The Sierra Club is deeply concerned about water quality both in our streams and at the tap. The first step to maintain water quality is to prevent pollution. We are disappointed that the June 1999 draft does not provide for actions to protect the Bay-Delta estuary and its tributaries from pollution by agricultural runoff, animal wastes, and other sources. In particular, we believe that the program should include actions that will effectively discourage irrigation of marginal lands whose runoff contains harmful pollutants.

We also recommend that CALFED delete any reference to plans for a screened diversion of up to 4000 cfs at Hood. Water diversions are one of the main causes of damage to the ecosystem in the Delta, and we believe that additional diversions will further increase the damage. This diversion presents a particular threat to endangered salmon. If additional action is necessary to protect drinking water quality, we believe that CALFED should help communities to implement advanced treatment technologies instead of taking actions that will cause additional harm to the environment.

Water supply reliability.

We certainly recognize the importance of a reliable water supply for California's people and the state's economy. Nevertheless, we are concerned that CALFED's assessment of the need for additional water supply facilities continues to be based on projections by the Department of Water Resources that are overinflated. The Department of Water Resources has admitted that its projections of water demand should be reviewed, but nevertheless CALFED continues to rely on these projections in its own analysis.

We believe that CALFED's water supply reliability program should concentrate on water conservation and efficiency, pollution prevention, and drinking water treatment, particularly during the first stage of

the program. These actions cause the least environmental damage, in addition to being the least expensive.

California already has more than 1,400 major dams, with 256 of them over 100 feet tall. These dams have caused widespread damage to California's environment. The dams in this state have a combined capacity of 42 million acre-feet. We can and must use this existing supply more efficiently.

We have only begun to tap the potential for urban water conservation by use of water-efficient home fixtures, water recycling, and reduced water use in landscaping. Southern California uses the same amount of water as it did in 1984, despite a population increase of 1 million people. In contrast, many Central Valley urban areas do not even require water metering, and their water use charges are not based on the volume of water used. Simply measuring water use and charging for water by volume would greatly increase the incentive for urban areas to make more efficient use of existing water supplies. For example, we have seen estimates that installation of water meters in the City of Sacramento would save as much water as would be produced by the Auburn dam on the American River.

Central Valley agriculture remains the largest user of developed water and groundwater in the state. The top consumer of irrigation water in the Central Valley continues to be low-value irrigated pasture and alfalfa. (This practice results in part from the fact that the price of water for agricultural use is artificially low.) The least productive 20 percent of irrigation water produces only five percent of total agricultural revenues, while the most productive 20 percent of irrigation water produces nearly 60 percent of agricultural revenues. In view of these circumstances, it seems clear that an expanded (and appropriately regulated) water market would be more environmentally and economically sound than new dams and reservoirs.

Last year the Sierra Club joined with other environmental organizations in preparing a "Blueprint for an Environmentally and Economically Sound CALFED Water Supply Reliability Program," and we submitted this document to CALFED last November. We refer you to this document for additional comments about the water supply reliability program.

Additional storage and conveyance facilities.

We support CALFED's intent not to pursue new on-stream dams and reservoirs. However, we believe that so-called "off-stream" dams and reservoirs still cause serious environmental problems by blocking smaller creeks and streams, flooding valuable habitat, and reducing river flows. Likewise, the expansion of existing dams and reservoirs would cause similar problems. Rivers need peak flows to shape their river beds and banks, transport sediments, and perform other important functions, and CALFED has not shown that additional flows can be removed from the state's streams without environmental damage.

We also question whether any additional storage and conveyance facilities can be built without violation of the principle that the full cost of those facilities should be paid by the users of the water that these facilities provide. CALFED's own economic analysis shows that surface water storage is not as cost-effective as many other water management options. The cost of additional water from CALFED's new

surface storage proposals would range from $500 to $3,500 per acre-foot. At this cost, new surface storage is not cost-effective for agricultural water users, and it is cost-effective for meeting only a tiny fraction of urban water needs. Thus, we believe that conservation and other efficiency measures are preferable on economic as well as environmental grounds, because they are less expensive options for improving the reliability of the water supply.

We cannot accept the theory that new dams, reservoirs, and canals should be built for "environmental" purposes. CALFED should not attempt to impute "public" benefits to such facilities in order to justify spending public money on them.

Environmental Water Account.

The concept of an "Environmental Water Account" seems to be a promising approach to the problem of providing additional flows for ecosystem restoration. However, we have serious concerns about the description of the Environmental Water Account in the June 1999 draft.

First, we believe it is essential to establish a clear baseline before any water can be credited to the Environmental Water Account. This baseline should reflect current export levels under existing legal and regulatory requirements. In particular, the CVPIA's annual dedication of 800,000 acre-feet of CVP yield should be part of the baseline. It should not be "purchased" for the Environmental Water Account. The purpose of the Environmental Water Account should be to provide new water for the environment.

State and federal legislation would almost certainly be required in order to establish an Environmental Water Account, to define its governance, and to describe its scope of authority and responsibility. We have a fundamental concern about whether CALFED can adopt a final programmatic EIS/EIR based on the assumption that the state and federal governments will enact legislation to carry out the program envisioned in the EIS/EIR. Neither Congress nor the California Legislature will be constrained by the EIS/EIR in crafting legislation to create an Environmental Water Account and to define its governance and operation. Thus, although we agree that there should be continued development of the concept of an Environmental Water Account, we do not believe that CALFED should adopt a final programmatic EIS/EIR based on assumptions about subsequent state or federal legislative action.

We appreciate CALFED's efforts to invite public comment on the June 1999 draft, and we thank you for considering our views.

Sincerely yours,

Dan Sullivan

Dan Sullivan
CALFED Task Force Chair
Sierra Club California